

# **ACADIA NATIONAL PARK ADVISORY COMMISSION MEETING**

ANP Headquarters

Monday, February 01, 2016 1:00 P.M.

## **Attendance:**

Steve Katona, Chair  
Jacqueline Johnston, Vice Chair  
Carolyn Gothard, Member  
Matthew Horton, Member  
Dexter Lee, Member  
Stephen Shea, Member  
Ken Smith, Town of Bar Harbor  
Bruce Wiersma, Member  
Ben Worcester, Member  
Ken Cline, Impending Member  
Kevin Schneider, Superintendent, ANP  
Michael Madell, Deputy Superintendent, ANP  
John Kelly, Management Assistant, ANP  
Stuart West, Chief Ranger, ANP  
Keith Johnston, Chief of Facilities Management, ANP  
Becky Cole-Will, Chief of Resource Management, ANP  
Abe Miller-Rushing, Science Coordinator, ANP  
Emily Pagan, Lands Specialist, ANP  
Lynn Dominy, Chief of Interpretation, ANP  
Charlie Jacobi, Natural Resource Specialist/Visitor Use, ANP  
Kathy Flanders, Superintendent's Secretary, ANP  
David MacDonald, President, Friends of Acadia  
Mark Berry, President/CEO, Schoodic Institute  
Carol Woodcock, State Office Representative to Senator Susan Collins  
Chris Rector, Regional Representative for Senator Angus King  
Members of the Public  
News Media

## **OPENING REMARKS**

The Commission Chair called the meeting of the Acadia National Park Advisory Commission, being held on Monday, February 1<sup>st</sup>, 2016, to order. Thank you, and welcome, to everyone for attending the meeting of the Advisory Commission. I am very happy to see so many members of the public here. The purpose of the Commission is to do two things. First, as established by the 1986 boundary legislation, to provide a means of input as well as communication to citizens and towns surrounding the park. It is a place where the public can hear what the park is doing and progress that is being made in the park and give feedback. The other thing we do is we advise

Acadia National Park. That is all we do. We do not have standing to do anything other than that. Actually, our main strength is in hearing and discussing or using the information to write letters. Advice is what we do. Participation of the public is absolutely key and it has been vital in many of the issues that we come to grips with.

The first thing, you might want to know is the membership of the Commission , and while it does consist of those of us sitting at the table, there are several members who were unable to be here due to distance or absence. We represent the towns, three representatives of the governor, and three representatives of the Department of the Interior. We are all nominated, then confirmed by the Department of the Interior and that process takes some time. I would like to call on Deputy Mike Madell to speak about the status of the current nominees

#### **ANP ADVISORY COMMISSION NOMINEES - Mike Madell, Deputy Superintendent**

Thank you, Steve, and welcome to everyone for taking time out of your schedules to be here today. I would particularly like to recognize Carol Woodcock from Senator Collin's office and Chris Rector from Senator King's office.

The appointments to the Commission do, indeed, take longer than anyone would ideally prefer. It has been several months since some of your names went forward. Some other names followed a little bit after that. I had a conversation with the regional Director about a variety of things and the topic of these appointments came up. He was surprised that it was taking so long, so he took it upon himself and try to intervene. The bad news is we didn't quite get then signed by today. But the good news is, as of a short time ago, in talking with Washington, we have been assured that the new appointments will be signed by the end of this week. So those of you waiting to be re-appointed or named for the first time to replace an off-going member, the check isn't quite in the mail yet, but close, and certainly by our next meeting that should be the case. The governor's nominations went in shortly after the others. They are in the loop with the others and should be acted on soon. Are there any thoughts or questions on that?

STEVE KATONA: Thank you for your extra efforts on it. Before we go on to the next item, I do want to introduce Ken Cline, whose nomination is at the point where the pen is almost on the paper. But I asked him to sit with us on the Commission. Ken is Professor of Environmental Law at College of the Atlantic, and has long experience working in the area of conserved lands. He will be a great addition to the forum. Welcome Ken!

#### **INTRODUCTION OF NEW SUPERINTENDENT**

**Mike Madell, Deputy Superintendent** - As you all know by now, after twelve years as Superintendent, Sheridan Steele retired last October. This will be the first Commission meeting in a long time without Sheridan here. He has moved on to other things in his life. He will still be involved in issues here on the Island and, as some of you may be aware, he is working with the new Marine Center in Winter Harbor. I am thrilled for many reasons to be able to introduce our new Superintendent, Kevin Schneider, who comes to us from Grand Teton National Park, where he was Deputy Superintendent. He has been in town less than a week. And with that, I will let Kevin tell you more about himself.

## **Kevin Schneider, Superintendent –**

Good afternoon, members of the Commission, the chairman, and members of the public. What a phenomenal turnout on a beautiful day on MDI. I am really excited and happy to be here and I am drinking from the proverbial fire hose; learning all the complexities and issues of our operations. This is a very complex park. I am looking forward to getting onboard and getting up to speed as quickly as I can with everything going on here.

I would like to recognize and thank, Mike Madell for his leadership serving as Acting Superintendent for the last four months or so. He was doing double duty and the Park was in good hands. I really appreciate Mike's taking on that extra responsibility and the Management Team, as well, for helping Mike during that time. Mike plays a very important role here at Acadia National Park as Deputy Superintendent in many ways. Mike is our chief operating officer and runs the park from day to day and keeps the trains running on time with our Division Chiefs. He keeps Acadia National Park such a phenomenal place for our visitors. Thank you Mike for all you do.

I will tell you a little bit about myself and how I came to be here. I first visited Acadia National park in the early 1990s. I visited again in 1999 while I was working in Washington in the Public Affairs office for the National Park Service. I came here for work travel and got to help launch the Island Explorer bus service and organize the news conference about it. I also organized the news conference around the endowing of the park's trails through Friends of Acadia. Paul Haertel was Superintendent at that time. That was the visit that made me scratch my head and say, "You know, this is the kind of place I would like to work". The park really impressed me the summer of 1999. And now I get to come and be the park's Superintendent.

My wife, Cate, and I have two kids, a six year old and two year old, and what a phenomenal place to have family. Cate is originally from Bangor and, for her, this is coming home. We were here this past summer for vacation, camped out a couple of nights at Blackwoods Campground, bicycled on the Carriage Roads, and ate lobster. We did all the things visitors who come to Acadia National Park tend to do. We had a great time. A week after we went back, I heard that Sheridan was retiring. The decision to compete for this job was an unambiguous yes. Superintendent positions at a park like Acadia do not come open very often. We jumped at the chance to apply for the position and move this way.

There are three things that make this place special. One is an exceptional staff. This park is known for having an exceptional park staff and it is known as a place where a lot of people want to come work. We get very competitive lists of applicants when we recruit for positions. And people tend to stay here for quite some time. It is also known for incredible partners. We have partners that are setting the bar within the National Park Service. A trails endowment in 1999 was almost unheard of, if not unheard of. I think it was the first endowed trail system in the National Park Service. Friends of Acadia really set the bar within the national parks for philanthropy and for raising money to help support these amazing places. Schoodic Institute is an organization that came on line in 2003 and has done incredible work with the Schoodic Peninsula and helping educate people and bring research and science to this park. Most national

parks would love to have the kinds of partners that we have here. And the third thing that led me to want to apply for this job was the communities. Acadia National Park is inextricably tied to the communities on this island and throughout the downeast coast. These communities would not be the same without the park and the park would not be the same with the communities. The kind of relationship this park has with the communities needs to be sustained and frankly, we need to hear from you, and of course, you all represent those communities through this Commission. And I want to emphasize as the Superintendent of the park, my door will be open to all of you. I look forward to getting to know you personally, and on a one-on-one basis, and I would love to spend time with each of you in the coming months to learn what your community's interests are and what your perspectives are. I need to understand and hear those perspectives as the Superintendent. Working with the communities is going to be one of my top priorities; learning from folks; taking your perspectives and applying them to my knowledge. My leadership style as Superintendent really is one where I want to hear what people think. I want to understand what the staff thinks. I want to understand what our partners think. I want to understand what our communities think and our stakeholders. We are always going to integrate those perspectives into discussions within the leadership team at the park and come up with park positions that take them into account. There may be times we don't always agree. That is normal. These are complicated issues. But I can assure you that I intend to listen to all of you and really value your perspectives as a Commission. I appreciate what you do. I look forward to the conversations that we are all going to have in the coming months, and thank you very much for serving on this Commission and for your time.

Steve Katona: Thank you, Kevin, and I would also like to give a shout out to another person here today in the audience, Alice Long. It is great to have you here. Alice was a long-time member on the ANP Advisory Commission and one of the greatest friends of Acadia National Park.

## **APPROVAL OF THE MINUTES**

We move on to the minutes of September 14, 2015. You have all received a copy of these minutes to review. Is there a motion to approve these minutes? Any edits or changes? (No response)

A motion was made to accept the minutes of the September 14, 2015, ANP Advisory Commission meeting; motion was seconded, and unanimously accepted.

**Steve Katona:** We will move along to a number of items under the Superintendent's Report. The first being Schoodic Woods update, and I know that item will probably occasion most of the comments from the public, so we will take public comment on it as part of this agenda item and comments on the agenda items will be taken at the end of the meeting as customary. I should add, as to Schoodic Woods, if necessary, I can give a brief timeline on what the Commission has known about this, following your report.

## **SUPERINTENDENT'S REPORT – Kevin Schneider, Superintendent**

### **Schoodic Woods Update: (Kevin Schneider)**

I do realize there has been some concern expressed by members of the Commission members of nearby communities about the Schoodic Woods acquisition and, I think the important thing here to recognize is it doesn't seem like there is controversy over the idea of its becoming part of Acadia National Park. My understanding is that folks, universally, are supportive of having Schoodic Woods as part of Acadia National Park. I think that is a really important place to start from: that we can all agree that this should be part of Acadia National Park. Obviously, the decision about the acquisition process was made well before I got here to Acadia as Superintendent. I have paid attention to what has been in the newspaper over the last couple of months since I have been named Superintendent. But I had a fulltime job as Deputy Superintendent at Grand Teton National Park. I was certainly not involved in day-to-day decision making here or at the park. That aside, I do recognize that this has been controversial. And there hasn't necessarily been agreement about the use of the 1929 legislation to bring these lands into Acadia National Park. As I said in my introductory remarks, my door is open and I think it is really important I hear from you and understand your perspectives on this. My understanding of Acadia can be really influenced and informed by you. I certainly value hearing from you today and, also, individually, over the course of the next few months. I can say, as Superintendent, I certainly don't intend to make use of this 1929 authority. I recognize there was legislation from 1986 and that legislation was intended to create a permanent boundary for the park. I certainly don't intend to let it become a recurring thing that we use the 1929 authority to acquire lands. Again, I think it is important that folks remember that these are lands that, I think, everyone agrees to be part of Acadia. It is going to be a phenomenal place to camp. I look forward to camping there with my family, personally. This summer, I look forward to getting out and hiking the trails and bicycling on the Carriage Roads and bike trails that are there and being a visitor to this wonderful part of the park. I haven't been to Schoodic Woods yet. I haven't even been to Schoodic Institute yet. Over the course of the next couple of weeks, I am going to make that happen so I can see personally what this place is all about and what this part of Acadia National Park is all about. I'm happy to answer any questions but that is kind of the broad brush overview from my vantage point.

Ben (Lee) Worchester – I would agree. I have heard no one object to the fact that Schoodic Woods would be an appropriate inclusion in Acadia. I am somewhat mystified that there was such an arduous search to find a way of including it. This to my knowledge is the only easement and we don't get acquisitions that are outside, what we use to call the permanent boundary was never brought to the Commission. It was never discussed by the Commission. It was never discussed in any of our committees. And I would just like to know why, because it's a big deal. I appreciate your saying you don't intend to use this authority. But you didn't say you absolutely wouldn't. And what could be done to remove the provisions of the 1929 bill so that they can't be used?

Kevin Schneider – I don't intend to use it. I won't use it. This is not something we would expect or really see occurring again in the future. It was a very unique opportunity, it was my understanding. I don't think there is anything like it that will ever be brought into Acadia National Park again from discussions I have had with folks within the National Park Service and

our Partners. This is totally different from anything we have seen. That said, as far as why this wasn't brought before the Commission, I'm sorry I can't answer that one.

Steve Katona – I can answer this one. Let me summarize for the Commission. I have trolled through the minutes. Here is where we have been on it. For the past ten years, we have been engaged with issues on the Schoodic Peninsula. First it was the transfer of the naval base to the National Park Service. We worked on that for a long time. There were a lot of meetings and town meetings. Then there was the transition of the naval base into SERC and Schoodic Institute. There were a lot of discussions about the campus and so forth. Meanwhile, the surrounding territory to the north, the Medina property, was a matter of concern because of the possibility of clear-cutting, which would affect park resources and viewsheds, as well as plans for development which might not be compatible with national park values. So in any case, we were aware there were negotiations going on with the family to see what could be done to put the land in some conservation status. So the first we heard, as the Commission, about that land, which we call Schoodic Woods, was at our meeting on Monday, June 3<sup>rd</sup>, 2013. The Land Conservation Committee discussed this as one of four conservation easements. A proposed conservation easement of 1400 acres on the Schoodic Peninsular was approved by the committee as a protection for the Schoodic portion of Acadia National Park. The Land Conservation Committee was in full agreement to recommend acceptance of that easement and it was moved, seconded and unanimously voted to recommend that the park accept that conservation easement. We do that all the time. Easements are proposed and accepted and, as you all know, easements have positive or negative use modifications that are voluntarily agreed, and they do not have anything to do with boundary of the park. So we were not concerned. On September 26<sup>th</sup>, 2013, the Solicitor's letter noted the donor conveyed a conservation easement to the United States for that property and that the Park Service is authorized to accept it both through the 1929 amendment and 1986 act. However, the Solicitor said the 1986 act would not permit expanding the boundary to include easements on the peninsula whereas the 1929 legislation expands the boundary upon acceptance of either easement or fee donation. So that was what was being thought in Washington at that time. Unbeknownst to us, in 2013 the easement was actually going to affect the boundary because it could through the 1929 act. On February 3<sup>rd</sup>, 2014, at the ANP Advisory Commission meeting, there were no new land conservation easements or reports but Sheridan commented the Commission had authorized (we don't authorize, but approve) the park to accept the easement on Schoodic Peninsula. So as of acceptance of that easement, 1400 acres south of Route 186 is under park management. That is strictly true because the park does manage the activities that are described in any easement they accept. So there was no problem there. At our meeting on Tuesday, September 2<sup>nd</sup>, 2014, Sheridan presented a long description of the Schoodic Woods campground, what was being done within the area, including portions of the easement where construction was permitted to create the campground and trails with all the rest of the parcel reserved as conservation lands. Then a public meeting was held in Winter Harbor regarding Schoodic Woods and there was a lot of interest in the community there in the potential for economic activities that could result from increased visitation to the new campground and there was positive support for the project. Then in November of this year, 2015, a notice was published in the Federal Register that the boundary was being changed through annexation of the Schoodic Woods property. That Federal Register Notice did not specify any authority. Our meeting had been held, as customary, in September, 2015, and the next meeting is today. So there was no way the Commission had heard officially of this, or could have had an opportunity

to discuss this, because all of our discussion had to be in a public meeting and setting up a public meeting has to be announced in the Federal Register. It seemed this was a time urgent subject so we arranged by telephone and email to exchange views and we provided a letter to Deputy Superintendent Madell on December 7<sup>th</sup>, 2015, expressing that we felt strong need to advise the Park Service of our serious concerns about the process used for the acquisition. That letter is a matter of record. Other entities were also concerned; the League of Towns and some of the towns wrote letters. We were very glad that our communication and others were responded to by Senator Collins and Senator King and Representative Poliquin in their letter to the Director of the Park Service on the 7<sup>th</sup> of January, 2016. And in both of our letters, we requested the Solicitor's opinion so we would understand what the authority was and what had actually taken place. On January 24<sup>th</sup>, 2016, we received a letter from the Office of the Solicitor of the United States Department of the Interior, the opinion which provided the information that they had used the 1929 act as the basis for changing the boundary. So that is where we are today. And I think your statement that there is no controversy about the land abutting to Acadia National Park is absolutely true. I haven't heard any negatives to that. I also feel that there is not much controversy on what should be done. It is pretty much what we said. It is to provide assurance that this will not be done again. And it can't just be assurance from the Superintendent, because you may be called away to somewhere else, and another Superintendent may wish to do something different. It has to be a much higher level and I think the things I have heard are,

1. Democratic process working through Congress can assure people that their concerns can be heard, even though they don't always agree with the results
2. It will be quick – we don't want it to mar a really happy celebration of Centennial, both for the Park Service and Acadia National Park.
3. It should be clean, dealing with just this one issue.

I think if those things can be accomplished, most of the objections I have heard would be satisfied. That is my summary from the Commission's point of view. Now I would like to hear from others on the Commission.

Dexter Lee – I think we are all of favor of the Schoodic Woods acquisition in the end. It's the means. The sentence on page 3 of the Solicitor's letter, "they believe the 1929 legislation automatically extends the park boundary upon acquisition of lands or easements. In this case, it means the boundary was extended upon acceptance of the conservation easement without the necessity of the National Park Service to comply with any other requirements or follow any other procedures". That is a very brazen statement by a solicitor. And I am not faulting anyone at the local level. It is all Washington or wherever. A permanent boundary is a permanent boundary in my book. It looks to me their official opinion is whenever there is a conservation easement; it can become part of the park. And that is what we fought against in 1986.

Matt Horton – I don't have a lot to say. I think everyone else has pretty much said it. I am certainly in favor of the acquisition. I am not opposed to that. I might agree with Dexter. I am against the means. I wrote down, Mr. Chairman, a simplistic motion, of course it would be a recommendation, because we can only recommend and advise. And I am happy to read it, and I am happy to let people tear it apart and retool it if they don't like it. I think that we need to send a message since our Congressional Delegation is here today about where the Commission stands and either have an up or down vote on some kind of motion that says this is what we feel needs to be done to make sure this does not happen again in the future. You said it well Steve. Kevin

could be gone or down the road we could have a different Superintendent. There was a lot of heart and soul that went into the 1986 legislation and you mentioned the importance of communities and their relationships with the park. I think there has been some controversy. I have heard from some people and they don't want to go back to the days where there is an adversarial relationship between the park and the communities. And some of that I understand and some of that I don't because I was probably too young to pay attention to it. So here is my motion: *(Motion) I would move to recommend and/or advise that the 1929 legislation (law) either be amended or repealed such that the 1986 law, with all its intentions and requirements, are fulfilled concerning future land acquisitions and other similar actions by the Park Service.*

(Seconded)

Dexter Lee - I think there needs to be specific language that includes the acquisition under discussion.

Steve Katona – So the two germs of the idea are, 1) Owing to concern about the authority used there ought to be congressional approval of the annexation of the boundary change and, 2) the legislation ought to include a proviso that the 1929 act will not be used further to add land to Acadia National Park.

Ben Winchester - I don't think we want to pass anything or to make a recommendation to the Park Service which would impede their ability to accept easements in the future.

Steve Katona – Honestly, I think the solicitors seem to be applying the 1986 act to Mount Desert Island. Since Schoodic was still in Hancock County, he/she could apply the 1929 act to the Schoodic Woods. So something clear that says, 1) any further boundary changes are done by Congress; that this annexation would be approved by Congress; 2) the 1929 act is not applicable for future land additions.

Ken Cline – I think, with that second point Steve, we should be really careful and really clear. We do not want to appeal the 1929 act because, aside from the name, it authorizes Acadia to do a lot of the things that we want it to do that are really narrow. So I am not really sure what that language should be. Maybe an amendment to make clear the 1986 act supersedes the 1929 act in terms of boundary acquisition. But it has to be really clear and careful that there are not consequences. ‘

Steve Katona – That is probably not the kind of thing we would put together at the table as a bill, but as a series of ideas.

Ben Winchester – Am I not correct that Acadia presently own hundreds of acres of conservation easements. Could they not also be included in the boundary, if 1929 stands? It includes all Hancock County and Knox County east of the ship channel.

Steve Katona – It says the 1986 statute does not automatically extend the parks boundary to include easements on the peninsula, whereas, the 1929 legislation expands the boundary upon acceptance of either an easement or fee donation.



Ben Winchester – So that means all the easements could be included in the boundary.

Matt Horton – It is not my intention to stifle future acquisition. It is just that it goes through the correct process. I have no objections to the park acquiring other parcels as long as it is done through public input, i.e., through the Congress. As I understand, it is what legislation requires. And then we have Congressional Representatives who we can talk to and voice our concerns one way or the other or favor for or against. That is the way the process should work. Not just someone sitting in Washington and saying we are going to absorb this into the park and the public be damned. And I think a lot of people who read it in the newspaper, commented to me and feel the same way.

Dexter Lee – I think legislation needs to include Schoodic Woods into the boundary and no more. They cannot own anything more. So conservation easements cannot increase the area of the boundary.

Steven Shea – Have we accepted the solicitor's opinion as being correct?

Steven Katona – I am not sure we have the expertise or should be put in the position of making such a statement. It's more the question that the solicitor's opinion has caused enough confusion amongst us and the public that it can't be used in the future. It subverts the intention of the 1986 act, whether it does it legally or not, and it does not take into consideration, sufficiently, what the 1986 act intended to do. There are people in this room who participated in that, or their parents did, and they know that and it has created concern here on the island, and possibly elsewhere. So it is more moving forward and saying what needs to be done and I think what I have heard is further boundary changes should be done through Congress and the 1929 act should not be repealed because it is the basis of the park, but it can't be used anymore in this way.

Steven Shea – If that is the case, then we need to move ahead and prevent this thing in the future.

Steven Katona – The third point, which is Dexter's point, this current boundary change should also be approved by Congress. Senator Collins and Senator King are represented here today and, if we can put down these notes, I know they will carry these things forward in the appropriate action in the best possible way.

Steven Shea – We need to make sure all our concerns are covered and we have a comprehensive statement.

Matt Horton – I would like to amend my motion as follows, subject to the Commission for change: *(Motion) I would move to recommend and/or advise that the 1929 legislation (law) either be amended or repealed such that the 1986 law, with all its intentions and requirements, are fulfilled concerning future land acquisitions and other similar actions by the Park Service. I further move that the Schoodic Woods parcel be subject to the 1986 law.*

(Seconded)

Emily Pagan – I believe what you want to get clarification on is, what can the park acquire in fee and what can the park acquire in easements? The 1986 legislation, we all thought, said there is a boundary of what we can own in fee. And there is an area of what we can own in easement. You just want to clarify what 1929 is saying versus 1986. Perhaps clarify what boundary is.

Bruce Wiersma - They had an easement which was a wonderful gift, so why did the Park Service feel it was necessary to make it a fee?

Emily Pagan - The donor donated the easement and as time went on, in the end, wanted to transfer everything to the Park Service, not just the easement.

Bruce Weiersma – But the Park Service held the easement?

Emily Pagan – The easement still stands. Just because the Park Service owns it in fee does not mean the easement has gone away. So first came the easement, which was one layer of interest in land, and then later, the park accepted the land in fee in order to fulfill the wishes of the donor. It took the solicitors to find the authority to do that.

Matt Horton – And what was the rush?

Emily Pagan – The rush toward the end was to accomplish the wishes of the donor.

Matt Horton – So in this case, the donor trumped the Commission?

Emily Pagan – ...and the Congressional Delegation.

Kevin Schneider – I certainly recognize all the work that went into the 1986 legislation. Obviously, I wasn't here when that occurred but I understand Senator Mitchell said getting the 1986 legislation passed was more difficult than peace negotiations for Ireland. So that tells me how difficult that 1986 legislation was and how important it is to this park. And I certainly don't want to see us go back to any kind of adversarial relationship that may have occurred prior to that 1986 legislation. One thing that I can offer is, if a member of Congress requests it, the National Park Service can provide drafting services to a member of Congress. So if a member of Congress were to ask us to draft legislation to deal with X, then we can provide that drafting service and provide a member of Congress with a drafted piece of legislation to accomplish X. And that can help us deal with some of these unintended consequences that were brought up so one law doesn't have an unintended consequence on something else. That is something just to be aware of that could be of assistance but that request has to come to us from a member of Congress.

Steven Katona – Are there any further comments? I know we have a motion and it received a second. It is currently unformed but it is getting closer. Would you want to restate it? Or would our guidance be to enumerate the points that ought to be considered in the legislation. We could easily do that. One further point I think would be useful, in view of all the toil that went into the 1986 act and the compromises that were made, that we should not re-open that. Leave that the way it is. But make sure its intentions and requirements are honored and observed.

Dexter Lee – I have a counter motion. *“The Commission requests the Congressional Delegation and National Park Service to draft legislation that would allow the acquisition of Schoodic Woods and clarify the intent of the 1986 boundary legislation.”*

Carolyn Gothard – Is clarify going to prevent it from happening again? I would be interested in how the 1986 legislation changes, or does not change, articles in the 1929 legislation. Where do they interact? Which one takes precedence?

Steve Katona – We will now entertain any other comment to enlighten us in our discussion of our possible motions.

Carol Woodcock, State Office Representative to Senator Susan Collins – I would just like to offer a comment. And that is sort of in response to what everybody has been saying. Notwithstanding the solicitor’s opinion, there are lawyers who do not agree with many aspects of the solicitor’s opinion. Even though the Park Service believes that it now owns fully and has acquired that property, there is some dispute about that. So I do think it is very important for us to hear the Commission, and others, and that is one of the reasons we are here, is to understand if there is a request for the delegation to introduce legislation. As I hinted earlier, it would have been helpful if we were to be asked to introduce legislation before this mess, but now we still would like to know if that is something that is requested now, particularly because of the controversy. That is primarily what I wanted to say. Obviously, I am more than happy to answer any questions about it. We would like to know, precisely, what would be the most helpful thing to say and there are a lot of different avenues and we can look into..

Steven Katona – I think the answer around this table is a unanimous yes. Are there other comments?

David MacDonald, FOA President – Having worked with these issues for a lot of my career, I think what the Commission has expressed, sort of at the policy level, is very consistent across the table, very helpful, and to work as a Commission to take the legislation to the next step would be very challenging. I agree with what Matt said. I think that having the Superintendent say he won’t use it in the interim and to work with the delegation to pursue the fix along the lines that you described, I think would be very helpful and very productive. I think you found consensus but to try to parse it too much further, as a Commission in the meeting, would be challenging. I commend you for the consensus you found and Kevin for saying, until that actually makes it through the halls of Congress, the Solicitor’s opinion is not a precedent that you need to worry about being used again in the interim. And I thank the delegation for pursuing this issue in partnership with the Park Service. I think you are on track.

Steve Katona – Other comments?

Ned Butler (Edwin Butler Jr), Member of the Public – My dad was involved in the legislation and was on the Commission. Frankly, I think this action was illegal. I don’t think it was justified and I would agree with anybody that says this is a mistake. I would support adding this land. Of all the places around the park, Schoodic Peninsula has open transportation that is not constrained

by one access or a ferry to get to it. It is the most appropriate place, perhaps, for an expansion to the park, if that is appropriate. I would even support that. But if, and only if, it is extremely clear that the 1986 legislation is honored as creating “permanent park boundary” and all these other island communities can have confidence that it is, in fact, permanent. Thirty years is what it’s been. This has been very important to our communities and we fought very hard for this. To me this is just a mysteriously unacceptable way to justify this acquisition. I honestly don’t think it is legal and there may be some legal methodology that could find a way for the deed to be somehow allowed to operate but put on hold. That we recognize there are serious questions about the deed and its being approved as an adequate deed would be contingent upon going back to the 1986 legislation and making sure that its provisions are strong precedents on these boundary issues for all these other communities. And I feel very strongly about it. If I got into the details - I have worked in the conservation easement sector; My family has been on the Island all our lives; our bicentennial celebration is next year – 200 years on the island. We take care of family property. I own the house my great, great, great grandfather had. It was his second home he got in 1837 by trade. Land conservation and stewardship are important to us. I have listened to Commissioner Lee’s concerns. But I think this is not in compatible with what we understood the legislation said. So you need a permanent strong fix. Let’s solve it through legislation, if that is what the lawyers say we must do to solve it. I think it’s a very important issue. I think in terms of that relationship, it [the 1986 legislation] has guided the good relationship to the park for the last thirty years and it was not good before and David Rockefeller was very important in doing that legislation. He honored it. It’s not ambiguous when it says permanent boundary. That law was really quite clear I think. I think it needs to be backed up. Thank you.

Steve Katona – Anything further? (No response) We have Dexter’s motion. Dexter, could you please read it again.

Dexter Lee – Reads: *“The Commission requests the Congressional Delegation and National Park Service to draft legislation that would allow the acquisition of Schoodic Woods and clarify the intent of the 1986 boundary legislation.”*

Steve Katona –Matt, did you have further points that you wanted to add?

Matt Horton – I think that sounds pretty good.

Steve Katona – I was thinking of incorporating that by requesting that Congress change the boundary to accept the Schoodic Woods property; that any further changes to the boundary be accepted by Congress; that the 1929 Act not be used to acquire any further property. That the 1986 Act not be re-opened but be clarified, as several people mentioned. Any clarification that would help future citizens and park staff, at any level, to understand the proper way to proceed that honors that law. I think if we can get those things crafted it would be great.

Dexter Lee – It’s not the first time the 1986 legislation has been changed.

Stephen Shea –We do not want to advise that we are accepting this opinion and I think we need to make that clear. I’m not a lawyer and, I believe, any good lawyer can tear it to shreds. My voice does not even begin to express how unhappy I am. My family goes back, even before Mr.

Butler's family, on this Island and that doesn't make a difference but, I think that you need to make it clear that we are not accepting this opinion. And we are not, necessarily, asking that the action be reversed. But some legislation has to be passed that clarifies the situation for the future and legitimizes this acquisition.

Steve Katona – Well these points do those other things but we can certainly include a line at the beginning that says “The Commission does not believe that this opinion should be basis for that land annexation”.

Stephen Shea – I also think that, in order to resolve this that verbal legislation is going to be necessary or maybe not. Do you (Carol Woodcock) feel verbal legislation is necessary, or even an opinion from someone who can clarify.

Carol Woodcock, State Office Representative to Senator Susan Collins – I am not an expert on this but I work for Senator Collins and I have been doing a lot of research on it. I am trying to get as many people's opinion as I can. If we were to draft legislation, we would make sure the legislation would address that concern. We are concerned that the opinion is not accurate. As many of you know, particularly if there are any lawyers in the room, if, in fact the opinion is wrong and that the property has not legally been acquired by the National park Service, there is a real problem there. Because that means the donor still owns the property and I don't even want to go into all the details of that, but that is a liability concern – all kinds of issues. So there is some urgency here, if, in fact, that is the case. Now I don't think we need to all go into that. I am not a lawyer myself. I am just telling you what I can advise. There are some real concerns. That Solicitor's opinion was written two years ago. And the Delegation was not able to get that opinion until we wrote to the National Park Service Director and asked for it. So we just got it a couple of weeks ago.

Stephen Shea – I guess the question that remains is there somebody who can clarify all this under the current legislation or is more legislation going to be required? I don't think anybody has the answer to that.

Carol Woodcock , State Office Representative to Senator Susan Collins – I am thinking that if the Delegation proposes Legislation to acquire this property, we would hope to correct the issue so it would not happen again. And we would make certain that legislation would correct it and we would be ignoring the Solicitor's Opinion.

Stephen Shea – Do you think the motion that Dexter has provided...

Carol Woodcock, State Office Representative to Senator Susan Collins – The motion would be very helpful just as we received letters from a number of communities asking the delegation to introduce legislation. Those kinds of things have been encouraging in letting us look into this. We want to make sure everybody agrees on this. We don't want another ten years to go by, just like it did with the 1986 legislation. We want to make sure the people really want the delegation to introduce this legislation and we want to make sure it is the right legislation to introduce. It will be tricky but, believe me, we will have experts looking at it to make sure it is right. We

obviously value everybody's opinion here. We want to get it right this time. Obviously, we seriously question the Solicitor's Opinion here.

Steven Katona – Could we offer a resolution that reads, The Acadia National Park Advisory Commission expresses its' concern that the Solicitor's Opinion does not serve as an adequate basis for transfer of the Schoodic Woods property into Acadia National Park. And therefore requests the National Park Service and the Congressional Delegation to craft and pass legislation such that the property transfer and boundary change be accepted by Congress; that any further changes to Acadia National Park boundary must be accepted by Congress; that the 1929 Act will not be used to acquire any further property in fee; and the 1986 act not be re-opened but be ~~clarified~~ confirmed.

Ken Cline – I don't get to vote on this but I'm not sure what that does for us. Dexter's motion was simple and clean. I don't doubt the work that the Senator's office has done. But I don't know that I would want to go toe to toe with the Solicitor's office and the interpretation of their own statute and I don't think we need to. Even if they are right, I think the Commission thinks it is a bad idea. If they have a good legal basis, it was probably a mistake in terms of the politics. It just seems like Dexter's motion was really simple and kind of clean. Maybe there are pieces of it that other people want. We don't need to go into detail.

Steve Katona – Maybe you are right. Dexter, would you like to read it.

Dexter Lee – Reads: *"The Commission requests the Congressional Delegation and National Park Service to draft legislation that would allow the acquisition in fee of Schoodic Woods and clarify the intent of the 1986 boundary legislation"*.

Ned Butler (Edwin Butler Jr), Member of the Public – I want you to go stronger than clarify. Will you go confirm or verify or ratify or some other word that is stronger than clarify. I think that is very clear and very specific.

Carolyn Gothard – I would include confirmation as it's related to the 1929 so we know where one takes off and the other takes over. That is part of the problem right now.

Matt Horton – I am going to withdraw my motions. I like his wording better. And I want to keep it simple, too.

Dexter Lee – Reads (FINAL): *After review of the Solicitor General's opinion, The Acadia National Park Advisory Commission requests that the Congressional Delegation and National Park Service draft legislation that would allow the acquisition of Schoodic Woods, in fee, and confirm the intent of the 1986 boundary legislation.*

Motion made, all accepted, no oppose.

**Online Pass Sales:** (Mike Madell, Deputy Superintendent)

The Park Service, candidly is a little behind the times as far as getting into technology, as least in the sense of making business at the national parks, including Acadia, more seamless and easier to

accomplish by our visitors. Senator King questioned why that was and strongly encouraged us to come into the 21<sup>st</sup> century and see what we could do about making out entry passes available online in addition to places like Hulls Cove. A meeting was held last year and five National Parks were selected to serve as pilots for implementing technology with Acadia being one of them. I am happy to announce that we are very close to going live with online pass sales here. We hope to be live momentarily; it could even be right now, with a beta test of online pass sales and then go live to the general public in probably about the middle of the month. When going online, you will be able to plug onto Acadia's website, click to the page to buy weekly passes for your car, your motorcycle, or for an individual, if you are coming in on bicycle. You will also be able to buy the Acadia Annual Park Pass. You will not be able to buy the National Park Passes, the Access Pass, which is free, or Senior Park Pass. You have to get them through other sources. We are excited about this. We are delighted we were chosen to be one of the pilots and thank Senator King for his leadership. We expect a news release to come out very soon with details on this project. The Acadia Annual Park Pass for this year features the Centennial Logo. Are there any questions?

**Centennial Update:** (Lynne Dominy, Chief of Interpretation and Education)

If you have not been to our website, please go to [www.acadiacentennial2016.org](http://www.acadiacentennial2016.org) to learn about what is happening and how people are organizing around Acadia National Park for the centennial. I have been fortunate to be a part of a Community Task Force for the past three years. They have been trying to organize all of the communities across Maine who are interested in being involved in Acadia's Centennial. The great thing about this effort is people have been able to choose how they are involved; how they want to use their business, their organizing, what type of events they would like to be participating in. If they want to create Centennial products, this is a place where all of that is centrally located. So when visitors come here to Maine and want to know what is happening, they can search on the calendar and figure out the events that are being offered across the state; they can see the Centennial products and all of the businesses that have products in them and then can see all the different partners that have stepped up. We have over 270 partners for the centennial. It has been an amazing effort with enthusiasm from the communities and people of Maine. If you have any questions about the Centennial, please speak with me or Stephanie or David MacDonald at FOA or other members of the Task Force. We would be glad to answer your questions. There are great events coming up in February. There is an art exhibit in the Capitol Building in Augusta. It closes the end of March. All of the area libraries in Hancock County are doing a read of three books that use Acadia National Park as a backdrop or contain pieces that take place in the park. And at the end of the month, we have the Winter Festival, which is being hosted by Schoodic Institute and Camp Beach Cliff. We hope you will join our community events. The bean supper in January was a huge success with over 400 attending. We have centennial logos we are wearing on our uniforms and we invite you to join us in the celebration and wear the logo as part of the Centennial. Are there any questions?

**2015 Visitor Use Report:** (Charlie Jacobi, Natural Resource Specialist/Visitor use)

We had 2.8 million visitors this year, for the first time since 1995. That was the only other year we went over 2.8 million visits. Overall that is almost a 10% increase or a similar increase as the previous year had from 2013. It was 200,000 more visits on MDI; a few thousand more on Schoodic, as well. We had big increases by month, as well. September and October have been the biggest that we have had in the twenty-five years we have been collecting visitor use stats. It

is an indication that fall is becoming a more popular month to visit the park. There was a little bit of a decrease in concession bus use. We will talk about Schoodic first. Traffic counters were dead so estimates were made in 2014. There was about an 18% increase at Schoodic in 2015 over 2013, there were about 39,000 visits. A few reasons might be that construction was going on; there may have been some curiosity factor with Schoodic Woods as there was a definite increase in the use of facilities when Schoodic Woods opened in September. There were a number of reasons that might explain the 18% increase over 2013. Are there any questions on the Schoodic use? There was a decrease in commercial and concession bus traffic. Last year, we were managing the cruise ship traffic and limited it to two buses at one time. That has cut back on the overall number of buses going up Cadillac Mountain on any given day. This contributes to a reduction to about 4,000 visits. We have seen a big increase in “small van” traffic, commercial traffic in the park. Business operations in Bar Harbor are changing a little bit and I think small vans provided by one operator probably took some of the cruise ship traffic, as well. I will be happy to answer any questions. We are all expecting it to be a pretty busy year.

Ken Smith – How do you count people in the cars, Do you make an assumption there are two people in it?

Charlie Jacobi – It depends on the month of the year. For the bulk of the summer months, May thru October, there are three people. This is an estimate.

**Transportation Plan Update:** (John Kelly, Management Assistant) (*PowerPoint*)

It will be a brief presentation to bring everyone back to where we are in the transportation plan. This effort is akin to our General Management Plan, 1992 and Schoodic General Management Plan, 2006. It has implementations in how we manage the park and in significant ways in how we improve the visitor experience and how we better protect resources and better serve the communities. It is about safety of visitors, park staff, community members, and providing ways for everyone to enjoy the park in the way it was intended, and first and foremost, protecting our resources and the values that we all enjoy. The purpose we have for the transportation plan is supported by these objectives. This plan comes with an Environmental Impact Statement, which is a thorough analysis of the social economic impact. We are on target with the plan. This is not a small effort on the Park Service's part. We have almost twenty people actively working on the core planning team but there are hundreds of people involved. The planning team includes people from our Washington office and private consultants who are helping with data collection and some of the planning effort. Last summer (2015) we went through public scoping as a first step from public, from stakeholders, and from communities about issues concerning transportation, in general – what they like, what they don't like, their experience in general, and suggestions on how they would change things. From that process, we held four public meetings (two at Schoodic and two at MDI). We also had a newsletter which was sent out to stakeholders and interested parties. We collected information on our website. In the summer of 2015, we had park staff housed at ten different locations in the park to reach out to public visitors with information, while collecting comments and feedback. In the fall, the information was collected and categorized. This last month, January, 2016, the core team met and spent two days analyzing the comments and started to formulate, from the comments and our feedback, possible alternatives to achieve the objectives. We are on target with our schedule. We are working toward the spring to hold another series of public meetings, publish a newsletter, hold meetings



with stakeholders and other public outreach. We are working on getting input from two specific stakeholders. You will see draft alternatives come out in the spring for feedback from the public. We will take it step by step from there to get through this busy schedule by the end of next summer or early 2017. Although the deadline for completing the plan, including signing off the Record of Decision on the Environmental Impact Statement, which is the formal approval of the plan. We will have a very good sense of where we are going by 2017. We are not holding out for another two years before we know what is going on. We will have a good sense of what the plan will be doing before then. Your input is always welcome. We are happy to take comments at any time on any information that we have available and would entertain questions now if you have them.

Ken Smith – So John, for the next meeting of the Commission will you have a range of alternatives that, probably, will have gone out to the public in some degree?

John Kelly – That's a good time. We have not talked specifically about when those will be out. But it is very likely we will make plans to provide this Commission with, maybe, an early look at the alternatives. We are trying to time the public meetings to occur while people are coming back to the island but not quite into the summer season and, again, in the summer season. We have people who are summer residents. The June meeting is good timing for us to introduce those, as well, and get your feedback.

**Construction Updates:** (Keith Johnston, Chief of Facilities Management)

For our birthday, we are going to fix up some big things this year. We are looking at trying to do some work on the Duck Brook Bridge, a huge three arch bridge along Paradise Hill Road with Duck Brook running underneath it. We are hoping to get this done before the Route 3 construction this summer. There will be flaggers and one lane traffic at times throughout the summer. There will be interior work and exterior masonry work. We are also looking to repair a section of the Carriage Road walls that collapsed in the winter of 2014-2015. We have been keeping it open with barricades and shifting the roadside but it is time to rebuild the whole thing. This will require a closure from intersection 17 over to the Park Loop Road by Jordan Pond House. That is the only section of the Carriage Road system that will close while we complete repairs. We will have the signing package to tell visitors system-wide about their route choices while that closure is going on. The Sieur de Mont sewerage system project is to completely eliminate the onsite sewerage treatment system and work with piping wastes to the sewage facility of Bar Harbor. Getting the waste offsite will improve the quality of the Sieur de Mont spring. The Seawall Campground sewerage system project will be going forward, as well. It will be a temporary fix to buy us some time. It should hold us between five and ten years, as we look at a larger effort to tackle the same project as we are doing with Sieur de Mont, piping waste to Southwest Harbor. We need to acquire funding for it is a bigger, longer challenge. At Schoodic, the Rockefeller Building is undergoing exterior repairs and will continue to do so throughout the spring and summer to stop water from getting into the building. Are there any questions?

Steve Horton – This is more a road maintenance question. The Visitor's Center at the head of the Island (Thompson Island), is barricaded and not plowed. Why?

Keith Johnston – The area was originally plowed by the State of Maine for turn-around access, in and out, before they reconfigured the head of the Island intersection. When we re-evaluated our winter operating costs, the only reason we drive all the way out is to plow that one lot. For our purposes of consolidating plowing efforts here, we chose not to plow it this year and the state didn't either, any longer.

Matt Horton – I only asked this because it was always a great place for car poolers to park one vehicle and take another. It seems if the park wants to encourage that, they are not sending the right message. I don't know how expensive it could be to drive a ¾ ton truck up there to plow that.

Keith Johnston – We were afraid with a winter like last winter (2014-2015) it could be severely impactful to your operation to keep that lot clear. And our biggest concern is if it snowed and a car was in there, and we can't get there, and we are trying to deal with all the other stuff and keeping up with the public. It was an operational expense we were trying to forgo this year should we have another serious winter. I think it can be re-evaluated.

Matt Horton – It was just a suggestion. I know it was very popular. Maybe the state can be coaxed into doing it again.

Keith Johnston – They are turning around using the other intersection.

John Kelly – As an alternative, Acadia Gateway Center, although not as convenient, does have a bigger lot that is meant for that very purpose you are describing.

Matt Horton – You are talking about Crippen's Creek – out in back?

John Kelly – Yes.

Steve Katona – We will put the Acadia Gateway Center on the next agenda.

**Update on Otter Creek Waterline Request: (Keith Johnston)**

We were asked to give an update on the request from the Otter Creek Aid Society for a waterline down to the fish shack in the Otter Cove. When we initiated our investigation into the support for this effort, there seemed to be a path forward where the individual for the society could ask for this and there was a path with the Park Service and the region to support that initiative. But the more we looked into it, the final say came when we started to talk to the water company, which is our source of water for that line. They pointed out we can't, or shouldn't, do it because in splitting the line at that point, we then have to convey the property over to the water district from the split and all the way back. We have a lot of infrastructure in line for the public between that point and Otter Creek and back to our pumping station in Seal Harbor. We are not interested in conveying it to the water company and the water company has no interest in owning or maintaining it. Under the Public Utility Commission Regulations 65-407, we decided we are not going to grant the authority to tap the water line down to the fish shack.

John McCauley, President of the Otter Creek Aid Society – It's a steamy issue we seem to have here. Am I correct in assuming that, because you have a second party coming off that line, it becomes a public line back from the split? I just need to know what to convey.

Keith Johnston – Correct. The important distinction is, and it's a little muddy, because the cemetery also draws off this water line, which initially gives precedence to consider another tap. That line was established pre-1986, pre-Public Utility Regulation, and was grandfathered in. Any future taps going forward on a public line like this end up becoming the property of the supply company.

Steve Katona – John, thank you for being here. That item was brought to us by a member of the public from Otter Creek. And we have another item later on that we will have as new business from there too.

**Follow-Up on Suggestion for Roadkill Survey: (Becky Cole-Will)**

The request also came from a member of the public in Otter Creek. This was a question about what we are doing with road-kill surveys. It falls in nicely with our transportation planning and some other issues. There is an issue with connectivity and wild-life corridors on MDI. I think we all know that as a result of all the road corridors, both in and outside the park. We are considering this within our conservation planning within resource management. We are also considering it within the transportation plan for protecting resources and resource issues. However, I guess the question would be, what was the intent of the request or the question from the public in terms of do they want to know more about the issues are or what we are doing about it?

Steve Katona – The request was that there be a study made of road-kill on the Island and in the park.

Becky Cole-Will – So all of you on the Commission have a briefing statement about it and anyone else is certainly welcome to a copy of it. We do not have the capacity right now to do a survey island-wide. Part of it is because our jurisdiction is only within the park. There are also concerns about how to implement something for safety. The reason is our roads are very congested, as you all know, and that is part of the issue. It is a great idea. We cannot do it all by ourselves but there are ways to accomplish this if it was something that the public or someone is interested in. And I point people to the recommendation that Bruce Connery made, which is that the Maine Audubon Wildlife Roadwatch website is a citizen science initiative to do this very thing. If you are out and you see an issue, you can record it, and Maine Audubon works with both us and state agencies and our planning efforts to identify places and issues related to wildlife-vehicle interactions and conflicts. So if anyone else is interested in knowing more about that, see me. You have the briefing in your packets. For more information about the program, see the Maine Audubon website, described in the briefing in your packet. Any questions on it?

Steve Katona – I also followed up on it with a couple of professors at the college (COA). They were very interested. So with that suggestion you made, and others, maybe something can be configured, recognizing the park, at this time, does not have the capacity but would be interested in partnering sometime in some way.

Becky Cole-Will – They certainly would be interested. But I cannot give Bruce Connery one more thing to do. He has way too much as it is.

Steve Katona – We were given that request and we have followed up and that is good.

## **OLD BUSINESS**

None to report

## **NEW BUSINESS**

**Mike Madell** – In conversations with staff, we came up with an idea to experiment and you all will be part of that experiment. As Steve noted earlier in the meeting, the minutes from the past meeting was 27 pages, it was essentially a transcript. That has been pretty consistent. In talking with some of the Commission, they have expressed an appreciation for that detail. It took our stellar Administrative Assistant, Kathy, a considerable amount of time to get those done. When we started to do a calculation, we thought we could probably hire a court reporter for about the same amount we are paying her in salary. And in all likelihood, because of the many other duties that she has, we could get the minutes to you earlier than we have been able to. Without objection, we would try to set the June meeting and see how it goes and make a final decision from there. Does anyone have any thoughts on it?

Ben Worcester – Is this going to be a verbatim report? I have received some of those and they are hard to read. They get everything. It is how we speak, not necessarily how we read. It is the only drawback and it is voluminous. We use to have them at the early Commission meetings and they were thick. And they were just as exciting when they boiled them down.

Steve Katona – Perhaps we could speak about this and find a way to accomplish both things so we don't have the *ahs* and *ums*. But we do have the color I think history will thank us for.

Mike Madell – So there is no objection to us trying it this next time?

No Objections

**Steve Katona** – This is an item of new business. *Steve Katona read a letter submitted by Stephen Smith of Otter Creek. The letter, Attachment 1, has been entered into the minutes.* We can discuss this at a further meeting, if the Commission wishes. Mr. Smith could not be here to present it himself as he is ill today.

**Jackie Johnston** – My seat on the Commission is for the Town of Gouldsboro. At the Schoodic Commission meeting, I had mentioned the town was overjoyed by Schoodic Woods coming into the park. However, it was also with a sense of concern about public safety with the increased traffic coming through to enjoy the park. At last week's meeting, they conveyed a request that I would like the board to entertain. We just heard about the increased visitation across the board, both at Schoodic and the main site. But also with the introduction of coming online with the

Schoodic Woods Campground, we have already observed an increased in vehicular traffic and bicycles and pedestrians. About four or five years ago, repairs were made to a certain portion of Rt. 186, which widened certain parts of the road to accommodate bike traffic and pedestrians. Because a lot of Rt. 186 has sharp curves and no shoulder, you have bicycles and pedestrians competing with vehicular traffic. The town sent a letter to the Department of Transportation on December 7, 2015, requesting the Department of Transportation to move a project up on their list and take another section of road from Birch Harbor to Prospect Harbor to make similar improvements to increase public safety. And they requested that the Commission request that the park consider submitting a letter to the Department of Transportation supporting that request, given that park activities are increasing and there will be an even higher potential for safety issues with all the folks competing for narrow roads. So I wanted to throw that out for consideration. I don't know if it would be more appropriate for the Commission to send a letter of support or if it deemed it more appropriate to come from the park. I just wanted that discussion.

John Kelly – I would suggest that both are very possible, Jackie, and beyond what you said, which is true, the Park Service also has a stake in the Schoodic Scenic Byway, which is that very stretch which runs from Birch Harbor across to Prospect Harbor. You may want to, also, get that support from the Byway Committee, which is still, yet, another entity. More is better.

Steve Katona – Would the Commission approve sending such a letter if Jackie were to draft it?

Moved – Seconded – All Approved – No Opposed

Jackie Johnston – I will send a draft to you for all your comments.

## **COMMITTEE REPORTS**

No Reports

## **FRIENDS OF ACADIA UPDATE – David MacDonald, President and CEO**

We have received good news from Washington on the budget, thanks to Senator King, Senator Collins and the rest of the delegation and others. We have seen modest increases in the park's operating budget for the coming year. We also received for the first time in a long time, appropriations for land and water conservation fund dollars for some of the acquisitions we have worked on in recent years. We also saw a boost to what is known as the Centennial Challenge Program, which benefited the park through funding for infrastructure projects last year, including vista restoration and trail restoration. And just this week we got news that in the coming year, another Centennial Challenge Grant has been awarded to our Youth Engagement Programs for fourth graders. It is a rare occasion when the news is upbeat on the funding front. I know I am often a broken record at these meetings observing how much is being asked of the park and how limited the resources are, but again, there is modest good news on all those fronts. Now some comments related to some of the earlier reports. The work on online park pass sales is really, really critical, particularly Stuart's work and Michelle Bierman's work in the fee office. We hear this all the time from our donors and from Congress when I go down to Washington – the park is

stepping up its game on compliance for the entrance fee and making it easier. A lot of local businesses have also been saying this. They are trying to sell park passes in more locations. The fees collected are going in the right direction. That is very important. It shows Congress that we are doing our job on the local front and we hope it will lead to increased appropriations. I also wanted to comment on Lynn's report of the Centennial and tie it into Charlie's report and stress that a lot of our work at the Centennial level has been around celebrating the park and building awareness. But it's also been about trying to send a message of how to have a quality visitor experience in the park – not just sending everyone to Cadillac Mountain and Thunder Hole, but really working with the community on other opportunities, both in the park and outside the park and throughout the communities. It is a very strong theme of the Centennial. A few months ago Ben Emory was questioning if the Centennial was going to be our downfall because of all the interest. I just want to report back that, thanks to Lynn and the interpretive staff, we are working hard on the messaging we are putting out there. That Acadia is limited resources in some ways to have a good quality experience. It might be a little different from the traditional one that everyone has on the top of their mind. We got good news last week, again I am talking a lot about resources, but Canon USA has supported natural resources and invasive plant management with a \$150,000 grant for that work in the coming years, so great news on that front, as well. Again, Friends of Acadia is encouraged. We recognize a lot is being asked of the park this coming year and we are very pleased that the business community, corporations, and individuals are stepping up big time and we see a lot of support to go alongside the work that staff and Congress and others are providing. As always, we are available to the Commission to give more information on anything but we appreciate these couple of minutes to give you those updates.

Steve Katona – Great report. Good news and gratefully accepted. We like that.

#### **SCHOODIC INSTITUTE – Mark Berry, President and CEO**

Welcome to Kevin Schneider. I appreciate the comments about partnership. One thing I won't share today in recognition of the time, but I encourage you to look at on your own if you would like, is the Year in Review slideshow presentation. It is on our website and you find it by browsing or at [www.schoodicinstitute.org/2015review](http://www.schoodicinstitute.org/2015review)

We have had a very busy fall. It included 825 students that came through Schoodic in the Schoodic Education Adventure with the Park Service. The majority of students were from Maine but we reached throughout the northeast. We had two courses from the University of Maine and one from Bates College on campus. We had two teams of Citizen Science Volunteers working with researchers from Earthwatch this fall. We hosted the park's Climate Change Scenario Planning Workshop; the Acadia Science Symposium and Downeast Research Network Convergence Conference; as well as a Northeast Wildlife Diversity Meeting. We brought in a lot of agency biologists from different agencies; Downeast Fisheries Partnership; staff retreats for Maine Sea Grant, Seacoast Commission, Healthy Acadia and Park Interpreters; and there were a lot of other programs – Artist in Residence, Fall Artist Retreat, Workshop by a photographer and another artist. Some of our Citizen Science activities included Phenology Monitoring, Hawk Watch, Sea Watch, Monitoring of Migrating Birds at Frazer Point, and a Bird Ecology Program on bird banding and the study of interactions between migratory birds and their food. Hannah Webber completed training videos for the Dragonfly Mercury Project within the Park Service. Those are available on our website. Our winter schedule is underway. We have photography

going on now. We are starting to show public Matinee Movies once a month. We have Birding and Brunch Activities to be held once a month. There will be a Winter Retreat for the Acadia Senior College and the Acadia Winter Festival will be held with our lead partner, Camp Beach Cliff. We are receiving applications for a new position, Forestry Ecology Program Director. We have received grant funding to support our Forestry Ecology Program.

Steve Katona – Carol, I hope you will convey our many thanks to Senator Collins for all she did to lay the foundation for everything that Mark talked about today. None of this would have been possible without her.

Carol Woodcock – I will. Thank you very much.

## **PUBLIC COMMENT**

No public comments

## **CLOSING REMARKS**

The Commission Chair made closing comments and thanked the members of the Acadia National Park Advisory Commission for all they have put in to all the issues discussed today and the time you dedicate.

Please remember to send any suggestions for agenda items for the June meeting to Steve Katona.

## **ADJOURNMENT**

It was moved by Carolyn Gothard, seconded and unanimously voted to adjourn. The meeting adjourned at 3:15 P.M.

The next meeting is scheduled for Monday, June 6, 2016, 1:00 P.M., at the Acadia National Park Headquarters, McFarland Hill, Bar Harbor, Maine, as published in the FEDERAL REGISTER.

The Monday, September 12<sup>th</sup>, 2016, 1:00 P.M. meeting will be held at Schoodic Education and Research Center, Winter Harbor, Maine, as published in the FEDERAL REGISTER.

Minutes Transcribed and Respectfully Submitted by Kathy Flanders

Dear Steve Katoro (chairman) and the rest of the Park Advisory Commission,

Please advise the Secretary of the Interior that some residents of the village of Otter Creek are making an effort to clean up the creek up inside the causeway.

In 1938 John D Rockefeller and others attempted to hold back the water inside the creek for a warm salt water swimming pool. This turned out to be a complete and disastrous ecological disaster.

By building a retaining wall and causeway across Otter Creek at the site of the inner bar, they effectively stopped all flushing activity of the open sea to the south. We believe that the Park has failed its stewardship of this pristine area by dumping domestic treated and raw sewage in conjunction with the Town of Mt. Desert for several decades until the DEP finally shut down this illegal practice. Now, this once beautiful pure ecosystem, full of abundant life is essentially dead!

Please help us clean this area up.

Feb. 1 2016

Thank You  
Sincerely, Stephen Smith  
Otter Creek, Maine  
04665